

**MEMO ENDORS**

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October 23, 2012

VIA FACSIMILE (914-390-4298)  
Judge Edgardo Ramos, U.S.D.J.  
United States Courthouse  
300 Quarropas Street, Room 218  
White Plains, New York 10601-4150

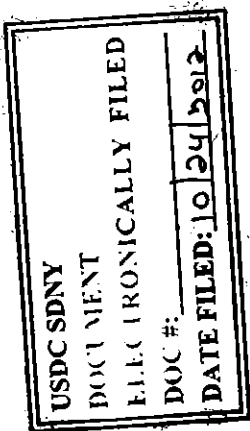
Re: *Shawnlee Construction, LLC v. J.K. Scanlan Company, Inc. et al.*  
Case No. 7:12-cv-03346-ER  
Proposed Dates for Case Discovery Plan and Scheduling Order

Dear Judge Ramos:

We represent plaintiff Shawnlee Construction, LLC ("Shawnlee") in the above referenced matter. Pursuant to the Court's request, below please find the parties' joint proposal for the Civil Case Discovery Plan and Scheduling Order. The proposed dates coincide with the Scheduling Order in a related case before Judge Briccetti entitled *Shepardville Construction, LLC v. J.K. Scanlan Company, Inc. et al.* (Civil Case No. 7:12 cv 3347(VB), which involves the same underlying construction project and similar issues.

The numbers below correspond to the numbered paragraphs in the Court's standard form Civil Case Discovery Plan and Scheduling Order.

1. The parties do not consent to proceeding before a Magistrate Judge.
2. This case is not to be tried to a jury.
3. Joinder of additional parties by November 10, 2012
4. Amended pleadings may be filed by November 10, 2012
5. Interrogatories to be served by December 10, 2012. Provisions of Local Civil Rule 33.3 shall not apply to this case.
6. First request for production of documents by November 10, 2012



Judge Edgardo Ramos, U.S.D.J.  
October 23, 2012  
Page 2 of 2

7. Non-expert disclosure by February 10, 2013
8. Any further interrogatories, including expert interrogatories, shall be served no later than March 15, 2013
9. Request to Admit by March 10, 2013
10. Expert reports shall be served by February 15, 2013
11. Rebuttal reports by March 15, 2013
12. Expert depositions by March 30, 2013
13. No additional provisions have been agreed upon.
14. All discovery completed by April 10, 2013
19. The next case management conference - April 29, 2013 at 10:30am.

Thank you for your attention.

Respectfully submitted,

George Sitaras

GS/ip.  
Encl.

cc. Lawrence Novak, Esq. (via email only)  
J.K. Scanlan Company, Inc. (via first class mail and fax)

**SO ORDERED:**

  
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HON. EDGARDO RAMOS  
UNITED STATES DISTRICT JUDGE

Dated: Oct. 24, 2012  
White Plains, NY